

Congress of the United States
Washington, DC 20515

January 15, 2020

The Honorable Betsy DeVos
Secretary
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Dear Secretary DeVos:

We are gravely concerned by harmful student seclusion and restraint practices occurring in schools around our country. We respectfully urge you to update your federal guidanceⁱ banning seclusion, banning restraints that restrict breathing and are life-threatening, and promoting evidence-based, positive behavior strategies and de-escalation techniques to reduce the use of physical restraint.

According to a November 2019 report by the *Chicago Tribune* and ProPublica ILⁱⁱ, children as young as five, disproportionately children with disabilities, are being locked alone in empty rooms for behavioral concerns or to “calm down” after misbehavior. In reality, the rooms have the opposite effect: children throw themselves at the door and scratch at the windows trying to escape. Some are recorded as urinating on themselves, undressing, attempting to commit suicide, or crying out that they want to die. Tragically, in some states, children have died in seclusion rooms.ⁱⁱⁱ

In Illinois alone, 20,000 such seclusions were reported from August 2017 to December 2018, hundreds of which involved children in first grade or younger, according to the November *Tribune* article. Not only does this practice cause students to miss valuable classroom time—some are secluded for hours on end—it can also cause serious physical and psychological trauma. A December *Tribune* and ProPublica IL follow-up article^{iv} found that restraints—including restraints that can restrict breathing—were being used even when students and staff were not in physical danger, in violation of Illinois law.

We were relieved that, following the publication of the November report, the Illinois State Board of Education (ISBE) responded swiftly to ban seclusion in schools across the state. However, that makes Illinois only the fifth state to ban seclusion. There are tens of millions of American children still at risk of experiencing this detrimental practice.

The use of seclusion and dangerous restraints is putting the psychological well-being and lives of children at risk every day and must be addressed at the federal level immediately. We respectfully urge you to update the Department of Education's 2016 guidance to ban seclusion, ban restraints that restrict breathing and are life-threatening, and promote evidence-based alternatives to reduce the use of physical restraint.

We appreciate your prompt attention to this matter.

Sincerely,



Sean Casten
Member of Congress



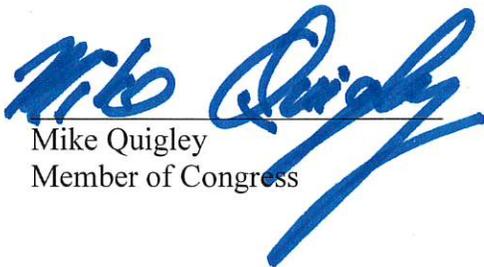
Richard J. Durbin
United States Senator



Tammy Duckworth
United States Senator



Cheri Bustos
Member of Congress



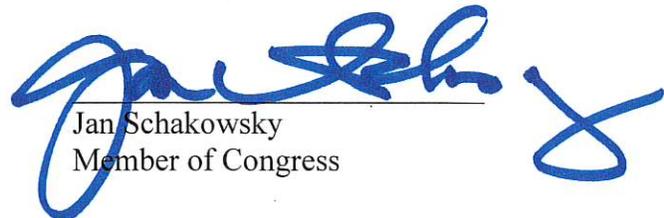
Mike Quigley
Member of Congress



Danny K. Davis
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Raja Krishnamoorthi
Member of Congress

ⁱ <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201612-504-restraint-seclusion-ps.pdf>

ⁱⁱ <https://graphics.chicagotribune.com/illinois-seclusion/index.html>

ⁱⁱⁱ <https://www.ndrn.org/wp-content/uploads/2019/03/SR-Report2009.pdf>

^{iv} <https://graphics.chicagotribune.com/seclusion-restraint/index.html>